UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/801,451	03/15/2004	Yunus Mohammed	MS1-1845US	3245

22801 7590 04/20/2007 LEE & HAYES PLLC 421 W RIVERSIDE AVENUE SUITE 500 SPOKANE, WA 99201	**EXAMINER** LU, KUEN S **ART UNIT** / **PAPER NUMBER** 2167

SHORTENED STATUTORY PERIOD OF RESPONSE	NOTIFICATION DATE	DELIVERY MODE
3 MONTHS	04/20/2007	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Notice of this Office communication was sent electronically on the above-indicated "Notification Date" and has a shortened statutory period for reply of 3 MONTHS from 04/20/2007.

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lhptoms@leehayes.com

PTOL-90A (Rev. 10/06)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _20 February 2007_.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-13,15-28 and 30-32_ is/are pending in the application.

     4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-13, 15-28 and 30-32_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

     a)☐ All   b)☐ Some * c)☐ None of:

         1.☐ Certified copies of the priority documents have been received.

         2.☐ Certified copies of the priority documents have been received in Application No. _____.

         3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

     * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
     Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
     Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

1. This Action is responsive to Applicant's Amendment filed February 9, 2007.
Applicant's Amendment amending claims 1, 15-16, 20-23, 25 and 30-33 and canceling
claims 14 and 29 are acknowledged. Examiner's rejection to claims 15-32 under 35
U.S.C. § 101 is hereby withdrawn, as necessitated by Applicant's amendments made to
the claims.

2. Please note claims 1-13, 15-28 and 30-32 are pending.

3. As to Applicant's Arguments/Remarks filed February 9, 2007, please see Examiner's
response in "**Response to Arguments**" shown next. In this Action, please note
Examiner maintains the same grounds of rejections for claims 1-13, 15-28 and 30-32 as
set forth in the non-Final Rejection Action of September 12, 2006.

Response to Arguments

4. Applicant's arguments filed February 9, 2007 have been fully considered, Please see
discussion below.

In the Remarks, Applicant argued that the cited Colvig reference does not teach the
element "wherein the sending of the notification comprises sending an electronic mail
message to the recipient entity" to which the element was incorporated into claims 1, 16
and 31 by canceling claims 14 and 29.

As to the above argument, Examiner respectfully submits that the claim element was

given the broadest reasonable interpretation consistent with the specification and in light

of the supporting disclosure. For further clarification, in this Action, Examiner

respectfully re-cites a different section from the originally presented Burstein reference

for providing a narrower interpretation of email to the newly incorporated element.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness

rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5.1. Claims 113, 15-28 and 30-32 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Burstein et al. (U.S. Patent 7,076,541, hereafter "Burstein") in view of Colvig et al. (U.S.

Patent Application 2004/0133664, hereafter "Colvig").

As per claim 1, Burstein teaches "A method of notifying a user of the activation of a

domain" (See Col. 3, lines 15-41 where request for domain change information is

received, extracted, processed and responded), comprising:

"receiving a domain change request from a requesting entity" (See Col. 8, lines 25-40

where operator enters domain change request text which is received by the front-end

server of a domain server); and

"logging information obtained from the domain change request" (See Col. 8, lines 37-44

where the front-end server of the domain server parses message text received, extracts

information from the text and generates a change request command).

Burstein does not explicitly teach "monitoring a change implementation entity to

determine when a domain specified in the domain change request has become active",

although Burstein teaches gathering information about identity of active domain name at

col. 7, lines 58-62.

However, Colvig teaches monitoring and determining IP address change by pinging a

server using a first IP address at Fig. 4, elements 425-440 and Page 4, [0052]-[0054].

It would have been obvious to one having ordinary skill in the art at the time of the

applicant's invention was made to combine the teaching of Colvig with Burstein

reference by implementing facility to monitor connectivity of changed domain name

because both references are directed to managing internet entity changes where Colvig

teaches IP address change while Burstein focuses on domain name change, and the

combined teaching of the references would have equipped Burstein's shared registry

system with monitoring functionality to further facilitate the updating of domain name

and IP address, and identification of successful registered entries to the registry where

the functionality is desired in a system managing a plurality of domain names for a

plurality of different registrants. (See BACKGROUND OF THE INVENTION of the two

references).

The combined teaching of the Colvig and Burstein references further teaches

"sending a notification to a recipient entity when the domain has been determined to

become active" (See Colvig: Fig. 4, elements 4450 and Page 4, [0054] where user is

indicated to that the server has switched to the new IP address, and Burstein: col. 14,

lines 43-48 where back-end server sends information about validated change of an

identity of the authorized domain name servers to an operator via front-end server); and

"wherein the sending of the notification comprises sending an electronic mail message

to the recipient entity" (See Burstein: Burstein: col. 11, lines 4-26 where front-end and

back-end domain managers, and domain name administrator contact utilize email to

send, receive and confirm domain administrative tasks).

As per claim 16, Burstein teaches "An apparatus for notifying a user of the activation

of a domain" (See Col. 3, lines 15-41 where request for domain change information is

received, extracted, processed and responded), comprising:

"one or more processors; memory" (See col. 6, line 48 – col. 7, line 11 where disk

storage and name servers are memory and processors, respectively);

"interface logic configured to receive a domain change request from a requesting entity"

(See Col. 8, lines 25-40 where operator enters domain change request text which is

received by the front-end server of a domain server); and

"monitoring setup logic configured to log information obtained from the domain change request" (See Col. 7, lines 51-53 and col. 8, lines 37-44 where the front-end server of the domain server parses message text returned by an operator, extracts information from the text and generates a change request command).

Burstein does not explicitly teach "monitoring logic configured to monitor a change implementation entity to determine when a domain specified in the domain change request has become active", although Burstein teaches gathering information about identity of active domain name at col. 7, lines 58-62.

However, Colvig teaches monitoring and determining IP address change by pinging a server using a first IP address at Fig. 4, elements 425-440 and Page 4, [0052]-[0054].

It would have been obvious to one having ordinary skill in the art at the time of the applicant's invention was made to combine the teaching of Colvig with Burstein reference by implementing facility to monitor connectivity of changed domain name because both references are directed to managing internet entity changes where Colvig teaches IP address change while Burstein focuses on domain name change, and the combined teaching of the references would have equipped Burstein's shared registry system with monitoring functionality to further facilitate the updating of domain name and IP address, and identification of successful registered entries to the registry where the functionality is desired in a system managing a plurality of domain names for a plurality of different registrants. (See BACKGROUND OF THE INVENTION of the two references).

The combined teaching of the Colvig and Burstein references further teaches "notification logic configured to send a notification to a recipient entity when the domain has been determined to become active" (See Colvig: Fig. 4, elements 4450 and Page 4, [0054] where user is indicated to that the server has switched to the new IP address, and Burstein: col. 14, lines 43-48 where back-end server sends information about validated change of an identity of the authorized domain name servers to an operator via front-end server)); and

"wherein the sending of the notification comprises sending an electronic mail message to the recipient entity" (See Burstein: Burstein: col. 11, lines 4-26 where front-end and back-end domain managers, and domain name administrator contact utilize email to send, receive and confirm domain administrative tasks).

As per claim 31, Burstein teaches "An apparatus for notifying a user of the activation of a domain" (See Col. 3, lines 15-41 where request for domain change information is received, extracted, processed and responded), comprising:

"means for receiving a domain change request from a requesting entity" (See Col. 8, lines 25-40 where operator enters domain change request text which is received by the front-end server of a domain server); and

"means for logging information obtained from the domain change request" (Col. 8, lines 37-44 where the front-end server of the domain server parses message text received, extracts information from the text and generates a change request command).

Burstein does not explicitly teach "means for monitoring a change implementation

entity to determine when a domain specified in the domain change request has become

active", although Burstein teaches gathering information about identity of active domain

name at col. 7, lines 58-62.

However, Colvig teaches monitoring and determining IP address change by pinging a

server using a first IP address at Fig. 4, elements 425-440 and Page 4, [0052]-[0054].

It would have been obvious to one having ordinary skill in the art at the time of the

applicant's invention was made to combine the teaching of Colvig with Burstein

reference by implementing facility to monitor connectivity of changed domain name

because both references are directed to managing internet entity changes where Colvig

teaches IP address change while Burstein focuses on domain name change, and the

combined teaching of the references would have equipped Burstein's shared registry

system with monitoring functionality to further facilitate the updating of domain name

and IP address, and identification of successful registered entries to the registry where

the functionality is desired in a system managing a plurality of domain names for a

plurality of different registrants. (See BACKGROUND OF THE INVENTION of the two

references).

The combined teaching of the Colvig and Burstein references further teaches "means

for sending a notification to a recipient entity when the domain has been determined to

become active" (See Colvig: Fig. 4, elements 4450 and Page 4, [0054] where user is

indicated to that the server has switched to the new IP address, and Burstein: col. 14,

lines 43-48 where back-end server sends information about validated change of an

identity of the authorized domain name servers to an operator via front-end server));

and

"wherein the sending of the notification comprises sending an electronic mail message
to the recipient entity" (See Burstein: Burstein: col. 11, lines 4-26 where front-end and
back-end domain managers, and domain name administrator contact utilize email to
send, receive and confirm domain administrative tasks).

As per claims 2 and 17, the combined teaching of the Colvig and Burstein references
further teaches "the domain change request instructs the change implementation entity
to create a new domain name" (See Burstein: col. 3, lines 1-5 where an entry of domain
name is created to the shared registry).

As per claims 3 and 18, the combined teaching of the Colvig and Burstein references
further teaches "the domain change request instructs the change implementation entity
to update an existing domain name" (See Burstein: col. 4, lines 39-42 where registrants
registering new domain name, maintaining domains and updating domain information).

As per claims 4 and 19, the combined teaching of the Colvig and Burstein references
further teaches "the logging of information obtained from the domain change request
includes recording a domain name identified in the domain change request" (See
Burstein: col. 3, lines 28-32 where domain name information is extracted from request
message).

As per claims 5 and 20, Colvig does not explicitly teach "the logging of information obtained from the domain change request includes recording a time stamp that is related to a time at which the domain change request was made".

However, Burstein teaches recording registry system update time stamp at Fig. 4.

It would have been obvious to one having ordinary skill in the art at the time of the applicant's invention was made to include time stamp data of the request because recording timestamp of transaction is such a popular practice that internet transaction log normally contains timestamp information of user's each transaction.

As per claims 6 and 21, the combined teaching of the Colvig and Burstein references further teaches "the logging of information obtained from the domain change request includes recording a notification address used to send the notification to the recipient entity" (See Burstein: col. 14, lines 43-48 where back-end server sends information about validated change of an identity of the authorized domain name servers to an operator via front-end server).

As per claims 7 and 22, the combined teaching of the Colvig and Burstein references further teaches "the logging of information obtained from the domain change request includes recording an updated name server address associated with the domain specified in the domain change request" (See Burstein: col. 7, lines 5-11 where server

provides domain name update information to domain registration system for updating the domain name).

As per claims 8 and 23, the combined teaching of the Colvig and Burstein references further teaches "the monitoring of the change implementation entity includes determining whether a predetermined time has elapsed since the domain change request was received, and if so, querying the change implementation entity" (See Colvig: Page 4, [0051] where time interval was set for pinging an IP address to determine connectivity).

As per claims 9 and 24, the combined teaching of the Colvig and Burstein references further teaches the monitoring includes determining the predetermined time by looking up the predetermined time in a configuration table" (See Colvig: Page 4, [0051] and [0056]-[0057] where time intervals were set for pinging an IP address to determine connectivity).

As per claims 10 and 25, the combined teaching of the Colvig and Burstein references further teaches "the monitoring includes sending a domain name system (DNS) request to the change implementation entity, and receiving a reply back from the change implementation entity that reflects whether the domain is active or not" (See Colvig: Fig. 4, elements 425-440 and Page 4, [0052]-[0054] where monitoring and determining IP address change is performed by pinging a server using a first IP

address, and Burstein: col. 14, lines 43-48 where back-end server sends information about validated change of an identity of the authorized domain name servers to an operator via front-end server).

As per claims 11 and 26, the combined teaching of the Colvig and Burstein references further teaches "repeating the sending of a request and receiving of a reply until a reply is received that indicates that the domain is active" (See Colvig: Fig. 4, elements 425-440 and Page 4, [0052]-[0054] where monitoring and determining IP address change is performed by periodically pinging a server using a first IP address until a target stops to respond, and Burstein: col. 14, lines 43-48 where back-end server sends information about validated change of an identity of the authorized domain name servers to an operator via front-end server).

As per claims 12 and 27, the combined teaching of the Colvig and Burstein references further teaches "the reply received from the change implementation entity provides an address of a domain name server in the domain name system" (See Colvig: Fig. 4, elements 450 and Page 4, [0054] where a new IP address is brought up).

As per claims 13 and 28, the combined teaching of the Colvig and Burstein references further teaches "a determination of whether the domain is active or not is made by comparing the address specified in the reply with a stored updated name server address, wherein the domain is determined to be active when the address

specified in the reply matches the stored updated name server address" (See Colvig: Fig. 4, elements 450 and Page 4, [0054] where user is indicated to that server is bringing up TCP/IP using second IP address suggests the second address is compared and different to the first address).

As per claims 15, 30 and 32, the combined teaching of the Colvig and Burstein references further teaches "A computer readable medium including machine readable instructions for implementing the receiving, logging, monitoring, and sending" (See Burstein: Col. 3, lines 15-41 and col. 6, lines 36-62 where request for domain change information is received, extracted, processed and responded and the implementation is embodied as software residing on storage medium).

References

6.1. The prior art made of record

    A. U.S. Patent No.   7,076,541

    B. U.S. Patent Application   2004/0133664

6.2. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

    C. U.S. Patent Application   2004/0172470

    D. U.S. Patent No.   6,965,584

    E. U.S. Patent Application   2002/0010682

    F. U.S. Patent Application   2004/0078487

    G. U.S. Patent Application   2002/0016789

Conclusion

7. Applicant's amendment necessitated the new grounds of rejection presented in this Office Action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Contact Information

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kuen S. Lu whose telephone number is (571) 272-4114. The examiner can normally be reached on Monday-Friday (8:00 am-5:00 pm). If attempts to reach the examiner by telephone pre unsuccessful, the examiner's Supervisor, John Cottingham can be reached on (571) 272-7079. The fax phone number for the organization where this application or proceeding is assigned is 703-305-3900.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for Page 13

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.
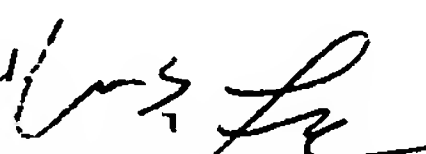
For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

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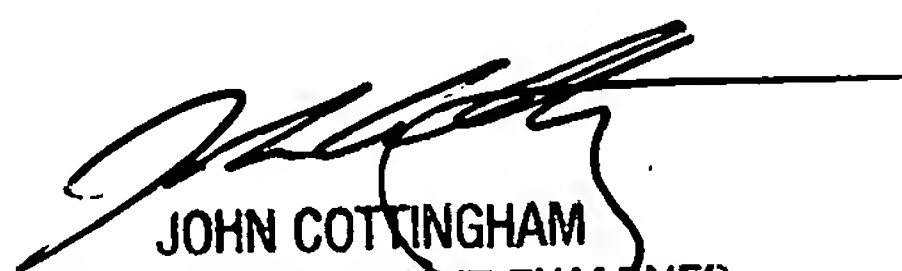
USPTO Customer Service Representative or access to the automated information

system, please call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Kuen S. Lu/

Patent Examiner, Art Unit 2167

April 12, 2007

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